



2016 Pesticide Training Legal Update

EPA Worker Protection Standard (WPS) Revisions:

- Minimum Age for Private Applicators is now 18 years old; also minimum age for uncertified workers that are being supervised while handling restricted-use pesticides
- Core manual and category specific training now required during recertification
- Course recertification participants now required to show picture identification

Pesticide Updates:

- Neonicotinoids
 - Products containing clothianidin, dinotefuran, imidacloprid, and thiamethoxam which are labeled for outdoor use and foliar applications will now prohibit use when and where pollinators are present (Figure 1)

Always Read the Label Before Applying Pesticides!

Pesticide labeling directions and Personal Protective Equipment (PPE) requirements can change at anytime

Applicators must read and follow label directions or find someone to explain the label to them.

- **Pesticides may not be applied to any site not listed on the product label**
- **Materials may not be applied at rates higher than the label directs**
- **Pesticide applicators are bound to follow label directions for transport, mixing, loading, application, storage, and disposal of pesticide products and containers**
- **State and federal laws prohibit the use of any pesticide inconsistent with its label**
- Make sure to check the Pest Management Guide (PMG): Horticultural and Forest Crops to keep up with changing laws and regulations. Pesticides registered in Virginia are listed along with recommendations given for specific crops and pests. **2016 edition is available online at <https://pubs.ext.vt.edu/456/456-017/456-017.html>**

Virginia Specific WPS Reminders and Revisions:

- No reexamination waiting period after failing an exam
- Key Requirements of Virginia Pesticide Control Act (VPCA) and Consequences of Violating Law:
 - All pesticides must be used only as directed on the labeling. Penalties may result from the following acts:
 - Failing to keep required records or making false records
 - Failing to properly maintain pesticide application equipment
 - Providing a restricted-use pesticide to a person not certified to use it
 - Violations of VPCA or regulations issued under it will subject you to civil penalties:
 - Up to \$1,000 for a first offense
 - \$20,000 for repeated violations of the law
 - An additional penalty of up to \$100,000 may be assessed for any violation that causes serious damage to the environment, property, or serious injury to, or death of, any person

- Uncertified persons may apply restricted-use pesticides on private property when under the direct supervision of a certified private applicator.
 - The certified applicator is responsible for the actions of the uncertified person
 - The certified applicator must be assessable by being nearby or within contact by phone or radio
- VDACS Commonly seen Violations from July 2015 to June 2016:
 - Products used are not certified for use in Virginia.
 - All pesticides sold and used in Virginia must be registered by both the EPA and VDACS
 - Failure to have required certification when applying pesticides.
 - Make sure you have the correct certification for the situation in which you are using pesticides
 - Misuse of Pesticides
 - Make sure to follow the product label; the label is the law
 - Misuse includes any failure to follow the label, which would include application rates and not using the required PPE
 - Failure of people and/or companies that apply for-hire to have required pesticide business license
 - Inadequate records of applications by applicators and pesticide businesses

Review of Pesticide Related Illness or Injury:

- Symptoms to Watch for -
 - External irritants may cause -
 - Redness, blisters, rash, and/or burns on skin
 - Swelling, stinging sensation, and/or burns in eyes, nose, mouth, and throat
 - Pesticide Poisoning may cause -
 - Nausea, vomiting, diarrhea, and/or stomach cramps
 - Headache, dizziness, weakness, and/or confusion
 - Excessive sweating, chills, and/or thirst
 - Chest pain
 - Difficult breathing
 - Muscle cramps or aches all over the body
- **For More Information About Recognizing Pesticide Exposure Symptoms Please View the EPA Publication *Recognition and Management of Pesticide Poisoning* at <https://www.epa.gov/pesticide-worker-safety/recognition-and-management-pesticide-poisonings>**

Recognizing Heat Stress Symptoms:

- Signs and Symptoms –
 - Fatigue
 - Headache, nausea, and chills
 - Dizziness and fainting
 - Severe thirst and dry mouth
 - Clammy skin or hot, dry skin
 - Heavy sweating or complete lack of sweating
 - Altered behavior (confusion, slurred speech, or quarrelsome or irrational attitude)

Heat Cramps (Another type of Heat Stress)

- Painful muscle spasms in the legs, arms, or stomach
 - Caused by loss of body salt through heavy sweating
 - Relieve symptoms by drinking lightly salted water or sports drinks; stretching and kneading the muscles can provide temporary relief



- Stomach cramps may also be caused by pesticide exposure, if pesticide exposure is suspected get medical assistance immediately!

It's not always easy to tell the difference between heat stress and pesticide poisoning. Understand the signs and symptoms and the situation in which they occurred and receive medical attention immediately if pesticide exposure is a possibility!

THE NEW EPA BEE ADVISORY BOX

On EPA's new and strengthened pesticide label to protect pollinators

PROTECTION OF POLLINATORS

APPLICATION RESTRICTIONS EXIST FOR THIS PRODUCT BECAUSE OF RISK TO BEES AND OTHER INSECT POLLINATORS. FOLLOW APPLICATION RESTRICTIONS FOUND IN THE DIRECTIONS FOR USE TO PROTECT POLLINATORS.

Look for the bee hazard icon in the Directions for Use for each application site for specific use restrictions and instructions to protect bees and other insect pollinators.

This product can kill bees and other insect pollinators.
Bees and other insect pollinators will forage on plants when they flower, shed pollen, or produce nectar.
Bees and other insect pollinators can be exposed to this pesticide from:

- Direct contact during foliar applications, or contact with residues on plant surfaces after foliar applications
- Ingestion of residues in nectar and pollen when the pesticide is applied as a seed treatment, soil, tree injection, as well as foliar applications.

When Using This Product Take Steps To:

- Minimize exposure of this product to bees and other insect pollinators when they are foraging on pollinator attractive plants around the application site.
- Minimize drift of this product on to beehives or to off-site pollinator attractive habitat. Drift of this product onto beehives can result in bee kills.

Information on protecting bees and other insect pollinators may be found at the Pesticide Environmental Stewardship website at:
<http://pesticidestewardship.org/pollinatorprotection/Pages/default.aspx>

Pesticide incidents (for example, bee kills) should immediately be reported to the state/tribal lead agency. For contact information for your state/tribe, go to: www.aapco.org. Pesticide incidents can also be reported to the National Pesticide Information Center at: www.npic.orst.edu or directly to EPA at: beekill@epa.gov

Alerts users to separate restrictions on the label. These prohibit certain pesticide use when bees are present.

The new bee icon helps signal the pesticide's potential hazard to bees.

Makes clear that pesticide products can kill bees and pollinators.

Bees are often present and foraging when plants and trees flower. EPA's new label makes it clear that pesticides cannot be applied until all petals have fallen.

Warns users that direct contact and ingestion could harm pollinators. EPA is working with beekeepers, growers, pesticide companies, and others to advance pesticide management practices.

Highlights the importance of avoiding drift. Sometimes, wind can cause pesticides to drift to new areas and can cause bee kills.

The science says that there are many causes for a decline in pollinator health, including pesticide exposure. EPA's new label will help protect pollinators.

Read EPA's new and strengthened label requirements: <http://go.usa.gov/jHH4>

Figure 1. Protection of pollinators warning added to label